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2008 - Besnik Zeneli Human
Rights Grattan Puxon statement

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TO WHOM IT MAY CONCERN

1. My name is Grattan Puxon, I am a retired journalist and writer, and I have an association with former Yugoslavia which goes back more than 50 years. Formerly resident in Serbia and Macedonia, I speak Serbian and Romanes (the Erlesko, Džamasko, Tophansko and Gurbetsko spoken in Macedonia and Serbia, including Kosovo).

2. As a freelance, I have written on Eastern Europe for the Irish Times, The Nation (New York), Race Today, and have contributed to numerous other news and trade publications. I am the author of *Roma: Europe's Gypsies* (Minority Rights Group), *On The Road* (Liberty) and most recently *Freeborn Traveller* (Small World Media), a novel set in Ireland.

3. At the request of Richard Roberts, of Lawrence Lupin, solicitors, specialists in immigration, I have undertaken to assess the ethnic affiliations of his client Besnik Zeneli and provide commentary on his case, which I do to the best of my knowledge and with impartiality. I am conscious of my duty as an expert to assist those who are considering this appeal and guide them as accurately as possible.

4. I confirm that insofar as the facts in my report are within my own knowledge I have made clear which they are and I believe them to be true, and that the opinions I express represent my true and complete professional opinion.

5. In commenting on this case, I have drawn upon my own visits to the Presevo region, including the towns of Presevo and Bujanovac. My first acquaintance with this area was back in 1979, while living in Nis. I was then general-secretary of the International Romani Union and made frequent visits to other parts of Serbia.

6. During this period and later, I made several visits to Kosovo, some social, some in connection with research into the Romani language edition of *Destiny of Europe's Gypsies*, a study of the genocide against Roma carried out under the Nazis, which appeared the title *Bersa Bibahtale* (The Years of Misfortune). The English language edition, which I co-authored with Dr Donald Kenrick, was published by Heinemann in 1972 and drew on testimony from Roma in Mitrovica and other parts of Kosovo, as well as the rest of former Yugoslavia.

7. Beginning with general background, it must be taken into consideration that the expected declaration of independence by Kosovo is causing considerable tension both in Kosovo itself and in the neighbouring Presevo Valley. The town of Presevo has a population of some 35,000, of whom 90% are ethnic Albanian. The Serbs and Roma of the area feel themselves to be vulnerable minorities, particularly since the early 1990s when ethnic Albanians held a referendum declaring their wish to join Presevo to an enlarged Kosovo and independent Kosova Republic. The fighting in 2001 and 2002, conducted on the Albanian side by the ONA, had the purpose of eventually annexing Presevo and parts of western Macedonia to a Kosovo state. The ethnic Albanian population of southern Serbia, as much as it supported this insurgency did so because of grievances concerning their civil liberties and human rights and generally depressed condition.

8. Although Serbian security forces suppressed the armed groups in the Presevo Valley, the recently re-elected Serbian president Boris Tadic has warned this month that ethnic-Albanian fighters are re-grouping in northern Macedonia. It is feared that the declaration of independence by Kosovo could signal a fresh terrorist campaign in the Presevo region.

9. Meanwhile, it is notable that the Albanian Coalition Party won a seat in the Serbian Parliament in the 2007 elections, and that an ethnic Albanian, Ragmi Mustafa, a member of the Albanian Democratic Party, is currently mayor of Presevo.

10. As in Kosovo, the Romani minority in Presevo, most of whom bear names similar to their ethnic Albanian neighbours (many sharing an Islamic heritage) have been under pressure in the past to carry ID cards declaring that they belong to the Albanian majority, rather than registering as Roma. This pressure was in the last years of the former Yugoslavia severe, and there were incidents of threats and beatings of Romani activists of the Savez Roma Srbia (Romani Association of Serbia, then led by Sajd Balic).

11. Whilst Roma in other parts of Serbia, notably Belgrade and Nis, have in the past decade made some progress towards political representation, with the formation of the National Roma Council and some small successes in local elections, fellow Roma in the Presevo Valley remain isolated and exposed. For generations many have been embedded in small, scattered groups within village communities that are almost in total ethnic Albanian.

12. From my four hours of discussion with Besnik Zeneli, it is clear to me that his position in the village of Rahovica was typical of this situation. He tells me that there were just three Romani families there, of which the Zenelis were one. Both his grandfather, Hamid, and father followed the traditional Romani occupation of blacksmith. Besnik himself helped in the blacksmith's workshop but also earned money as a drummer in a band of four members which played at weddings, circumcision ceremonies and other events, which is another traditional Romani profession. His term for the instrument he played – *dauli* – is the word used in the Romani dialects I have mentioned above.

13. Many Roma in Kosovo and the Presevo Valley do not speak Romanes, having become partly assimilated with their Albanian neighbours. However, Besnik's grandfather evidently had some knowledge of the language and passed to Besnik the legend that their branch of the Roma had come from Persia (from where they would have borrowed the words *zor* (*strength*), *zara* (*body hair*) and *zrla* (*pipes*), which was an instrument played by another member of Besnik's band).

He told me that on more than one occasion when they played at a wedding, the Albanians who had engaged them refused to pay and there was nothing they could do about it. This treatment underlines his inferior social position as a partly assimilated Rom within an Albanian majority population.

14. The position of Roma, although living within an Albanian community, is marked as inferior by a number of definite social and cultural barriers. Although the boys are circumcised (*sunneti*), Roma do not attend the local mosques. In addition, intermarriage with Albanians is rare. It is not surprising that Besnik's partnership with Anila could not be formalised by marriage. A family wedding in the tradition of either Albanians or Roma was out of the question, and in effect by running away from Serbia to the UK, their's was an elopement. For this reason alone, it is easy to believe that the couple would not be able to return to the district.

15. Besnik does not have the dark appearance of many of the Roma who have in recent years come to London from Romania, Bulgaria and the Czech Republic. But neither does he have the more typical looks of an Albanian. This does not surprise me. I was for twenty years married into a Romani family from Macedonia, with connections to Roma in Uresovac, Kosovo. While my ex-wife, Sanie Ibrahim, was of Indian appearance, her grandfather Refik was white and indistinguishable from Turks living in Skopje. Besnik's dark hair is an indication of his ethnic roots, probably mixed over the centuries like most people in the Balkans. From the social circumstances he describes, his family's occupations and not least his appearance (which reminds me of the so-called *beli cigani* or White Gypsies of Bosnia) I have not doubt that Besnik is a Rom.

16. Although we did not discuss this, I noted to myself that his first name has an odd, quirky ring to it. *Beshnik* in Serbian means *one who runs away*, a little different to the word for refugees – *begalci* – yet connected with the verb *bezhiti*. While in the company of Roma in Serbia, I have heard Serbs call after us *bezhi!*, meaning *get lost*. A curious name Besnik, with a Serbian sound you would not expect an Albanian to have.

17. In the rural areas of the Presevo Valley, where ethnic divides have become even more entrenched since the conflicts of Kosovo and Macedonia, there is today no place for a couple like Besnik and Anali. I have contact with a leading Rom activist in Presevo town and he says that he despairs of the situation of the few remaining Roma in neighbouring Kosovo, who are under constant threat of violence, and that Roma in Presevo are hardly better off. Even in Belgrade, Serbian police have failed to protect Roma, particularly the poorer people. There have been numerous brutal assault on Roma working the night-shift street-cleaning and garbage collections.

18. The twist in Presevo is that Serbian police are not interested in the fate of Roma, while the Albanian population regard them with disdain. I base this on personal experience, and the experiences of my former brothers-in-law, Gilbaz and Naser, and journeys through South Serbia. Besnik's elopement with Anila will be regarded as a crime by Albanians, and they might well be the victims of attack, similar to the honour killings which occur here in the Asian communities in the UK.

19. I am not sure that it is within my remit to comment on this but am surprised to find on reading the papers supplied in relation to this case that there is a suggestion Besnik Zeneli could be "returned" to Kosovo. On the eve of a declaration of independence by a government dominated by former KLA leaders, it would surely be unsafe and would endanger his life. If consideration is being given to returning Besnik to Serbia – and Belgrade has been mentioned – then it would seem that any such move should be preceded by an approach to the Serbian authorities (perhaps the Serbian Embassy in London).

20. A while back I was asked to comment on the case of Naser Idris, who like Besnik Zeneli, lacked either citizenship of the former Yugoslavia and of present-day Serbia (Naser also lacked citizenship of Macedonia, although he had lived there for years). I believe that in offering guidance in this matter, I should point out that Serbia is not likely to accept a person who lacks the documentation to prove citizenship and who, in addition, speaks Albanian has his first language. Macedonia is refusing to grant citizenship or even permanent refugee status to Roma from Kosovo. Naser Idris was granted asylum by the UK and now runs a successful garage business in Manchester.

21. In conclusion, I must state that Besnik Zeneli strikes me as an honest young man who has suffered deeply from his experiences. Everything he says about his life in south Serbia chimes with my own knowledge over many years living in the Romani communities of Serbia and Macedonia. I did not have first hand experiences of the military conflicts in former Yugoslavia, having passed through for the last time in 1992 (when I was already resident in Thessaloniki, Greece. I was myself expelled from Macedonia for what I believe were political reasons (attempt to organize the 3rd World Romani Congress in Skopje) and for exposure of police treatment and exploitation of Roma (my ex-wife at one time was paid \$20 per month for domestic work).

22. In balancing the evidence, I have taken into account the frankness of Bersnik in admitting he had not heard of certain Romani organizations, nor of the large Romani township of Suto Orizari in Macedonia. Neither did he know of the Romani national flag, anthem and national day (8 April). Then again there are millions of Roma in Europe who are unaware of these things. Besnik said of all this, "I was uneducated. I was just me."

23. Considering that Besnik is a musician, it is on first impression surprising that he could not bring his friends together for a folk-wedding celebration of his union with Anila, such as are customary in Serbia and Macedonia. However, this was a time of civil conflict, a war in both western Macedonia and southern Serbia between insurgent ONA bands and regular Serbian and Macedonian troops. After being forced to work unpaid for the Serbian army I believe he had, like others I have spoken to, no option but to flee.

24. Having gained experience during four years of research on *Destiny of Europe's Gypsies* and a later book *Gypsies Under the Swastika* (EU sponsored) when I interviewed scores of Roma in former Yugoslavia, I can vouch for the authenticity of Besnik Zeneli's telling of his treatment at the hands of Serbian soldiers. In my opinion no one could invent his graphic account of being forced to enter Albanian houses to commit arson, to burn the bodies of alleged Albanian fighters (in one incident he saw some slight signs of life in one of the bodies) and digging graves in the woods.

25. All these horrific experiences have created the young man I met yesterday; quiet spoken, depressed, showing little hope or animation, yet willing to tell me in his subdued manner of the worst incidents in his life. These included the death of his own father and the burning of their family home. He is clearly traumatised, suffering nightmares, unable to shake off the shame and horror of being raped, and in need of continued medical and psychiatric help.

26. Again, Besnik made no assumption or assertion of this but I would expect, from all I have learnt of the conflicts in Kosovo and Presevo, that the family property in Rahovica has by now been squatted by other people and would be difficult if not impossible to reclaim. The greatest danger to Besnik and Anila would be from their former Albanian neighbours, and very possibly members of Anila's family (though he is unwilling to say this). There is a continuing desire by Albanians to revenge themselves on anyone who willingly or not collaborated with Serbian forces. The feud tradition keeps such ideas of revenge alive indefinitely. His position if flown to Belgrade would be different. Not able to speak more than a few words of Serbian, speaking Albanian, his life there would be untenable. Nobody would employ him; ultra-nationalist youths (the work skinhead has entered the Serbian language) would likely target him. In Pristina, he would be seen as a *Majup*, a term similar to *cigan* or *gipsy*. During the present fraught period before the declaration of independence I am reading on the internet everyday of the fears of Roma in Kosovo. Following independence, there may well be another round of anti-Roma and anti-Serbian rioting. During the height of civil conflict in Kosovo and Presevo, more than 100,000 Roma were driven from their homes and some 10,000 Romani homes burnt.

27. At best Besnik Zeneli would in Serbia or Kosovo be a misfit refugee, acceptable to no one and the butt of all. If he survived long, he would probably be forced to run away again, as was the case of Naser Idris before finally gaining asylum here. Within perhaps five years, perhaps longer, Serbia can expect to become an associate and then full member of the EU. It seems most unkind not to grant him protection for this interim period. That may sound like advocacy on my part but it is the opinion I offer as an expert.